DEFENDANT'S MOTION IN LIMINE NUMBER 15

EXHIBIT 2: Deposition of Glenn Clark

1   IN THE UNITED STATES DISTRICT COURT

2   FOR THE MIDDLE DISTRICT OF ALABAMA

3   NORTHERN DIVISION

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     HAZEL ROBY, as Administratrix   *

7   of the Estate of RONALD TYRONE   *

     ROBY, Deceased,   *

8   *

                    Plaintiff,   *

9   *

     VS.   * CIVIL ACTION NUMBER

10   * 2:05CV494-B

     BENTON EXPRESS, INC., et al.,   *

11   *

                    Defendants.   *

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15   The testimony of GLENN E. CLARK, JR.,

16   taken at Bozeman, Jenkins & Matthews, 114

17   East Gregory Street, Pensacola,

18   Florida, on the 5th day of October, 2005,

19   commencing at approximately 2:15, o'clock,

20   p.m.

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1   A   To the best of my knowledge, no.

2   Q   Is one of the things -- do y'all ever

3   talk about the importance of customer satisfaction,

4   talk about keeping your customers happy, at any of

5   these meetings?

6   A   Yes, sir.

7   Q   Have y'all ever talked about whether or

8   not it's important to deliver products on time?

9   A   It's very important.

10   Q   Is that one of Benton's mottos that they

11   have, that they promise good, timely delivery if you

12   choose them? Is that a selling point of Benton

13   Express, that we are -- will provide you with timely

14   delivery?

15   A   That's correct.

16   Q   And do you know if Benton Express

17   advertises that they have the latest in technology

18   concerning tracking and making sure deliveries are on

19   time?

20   A   Yes, we -- we can track on-time

21   deliveries.

22   Q   Tell me how -- well, tell me what's the

23   latest in technology that you all have in place to

1   track deliveries.

2   A   Just our local computer system with --

3   the customer provides a freight bill, or if he does

4   not have that, he provides other information and we

5   can find the freight bill number for him and can look

6   that shipment up for him and tell him where it is.

7   Q   Okay. Tell me, once -- for example, when

8   Craig Stephens went to Atlanta and picked up the load

9   in Atlanta, once he left that terminal, did y'all

10   have any method of tracking his whereabouts through

11   this computer system you're talking about?

12   A   Not this one, no.

13   Q   Did y'all have any method on any computer

14   system that we haven't talked about yet that would

15   allow you all to track the goods on the trailer that

16   Craig Stephens was hauling once he left -- once he

17   picked the load up in Atlanta?

18   A   Would you -- could you state that again?

19   Q   Yes. Once Craig Stephens picked up the

20   load at the Atlanta terminal and signed out, did

21   y'all have any way to track those goods that he was

22   hauling?

23   MR. BROCKWELL: You mean prior to them

1   arriving in Pensacola, Labarron, like in

2   between the two points?   `

3   MR. BOONE:

4   Q   Yeah.   Once he left Atlanta, did y'all

5   have any way of tracking the whereabouts of those

6   goods?

7   A   No.

8   Q   So, once he left the Atlanta terminal or

9   signed out at the Atlanta terminal, how do you all --

10   how, if a customer calls you about your goods, could

11   you tell them precisely where they were?

12   A   As far as the goods are concerned, it

13   would show en route Atlanta to Pensacola, not

14   arriving.

15   Q   Right. So, any way you all could tell

16   them specifically right now he's in Auburn, Opelika

17   or tell them specifically where the goods are at the

18   time the customer calls once he left Atlanta?

19   A   No, sir.

20   Rephrase that question. You --

21   Q   Let's say if Craig -- once Craig Stephens

22   signed out with the tractor and trailer, out of the

23   Atlanta terminal, if somebody had called at 1:00